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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/737,042	10/30/1996	BJORN HEED	C-35620	4727
7590	07/14/2009		EXAMINER	
DVORAK AND TRAUB 53 WEST JACKSON BOULEVARD CHICAGO, IL 60604			LEO, LEONARD R	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* BJORN HEED

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Application No. 08/737,042  
Technology Center 3700

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Mailed: [Date of mailing]

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 11, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Third Substitute Appeal Brief filed February 15, 2007 reveals that the Claims Appendix from the Appeal Brief, required in accordance with 37 CFR 41.37(c)(1)(viii), is missing in its entirety from the submission.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) hold the Appeal Brief filed February 15, 2007 defective, as required by 37 CFR § 41.37(d);
- 2) notify the Appellant to submit a "paper" which corrects the Appeal Brief's Claims Appendix under 37 CFR §41.37(c)(1)(viii);
- 3) acknowledge and consider any "paper" submitted by Appellant to correct the Appeal Brief;
- 4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/ewh

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